

REMARKS

This Amendment is in response to the Office Action dated October 3, 2006. All objections and rejections are respectfully traversed.

Claims 1-2, 4-11, 13-20 and 22-35 are in the case.

Claims 3, 12 and 21 are cancelled herein.

Claims 1, 4, 5, 7-11, 16, 17, 19, 22 and 23 are currently amended.

Claims 24-35 are currently added.

Request for Interview

The Applicant respectfully requests a telephonic interview with the Examiner after the Examiner has had an opportunity to consider this Amendment, but before the issuance of the next Office Action. The Applicant may be reached at 617-951-3074.

Rejections under 35 U.S.C. §112

At paragraph 3 of the Office Action, claims 1-6, 9-10, 12, 16-17 and 19-23 were rejected under 35 U.S.C. §112, second paragraph, as indefinite because the Examiner asserted that the terms "GIVEWAIT" and "MBWAIT" are not generally known in the art. Claims 3, 12 and 21 are cancelled. The remaining claims that were rejected under 35 U.S.C. §112 are amended herein to replace the objected to terms with more descriptive language as supported in the specification.

Applicant respectfully submits that the rejections under 35 U.S.C. §112 have been overcome and should be withdrawn.

Rejections under 35 U.S.C. §103

At paragraph 7 of the Office Action, claims 1-2, 4-7, 9-11, 13-20 and 22-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,578,158 to Deitz (hereinafter “Deitz”) in view of U.S. Patent No. 6,715,098 to Chen (hereinafter “Chen”).

At paragraph 26 of the Office Action, claim 8 is rejected under 35 U.S.C. §103(a) as being unpatentable over Deitz in view of Chen and further in view of U.S. Patent No. 6,804,673 to Sugahara (hereinafter “Sugahara”).

Claim 1, representative in part of the other rejected claims sets forth:

1. A method for a coordinated bringup of a repaired storage appliance in a storage appliance cluster, the repaired storage appliance having a disk subsystem, the method comprising the steps of:
 - asserting a first state in memory of the repaired storage appliance, **the first state indicating that the repaired storage appliance awaits release of disk reservations of the disk subsystem by a surviving storage appliance;**
 - releasing the disk reservations in response to detection of the asserted first state by the surviving storage appliance;
 - initializing the disk subsystem of the repaired storage appliance;
 - asserting a second state in memory of the repaired storage appliance, **the second state indicating that the repaired storage appliance has initialized the disk subsystem;** and
 - performing a giveback operation by the surviving storage appliance in response to detecting the second state.

The Examiner indicated that column 6, lines 63-55 of Deitz discloses “sending a first message” and that column 7, lines 25-30 of Deitz discloses “releasing disk reservations in response to the first message by a surviving storage appliance.” Contrary to the Examiner’s characterization, the cited portions of Deitz recite:

The **signal** passed between the controllers 105 to indicate **controller failure** can be a passive signal, such as for example the lack of a proper response to a polling or pinging scheme in which each controller interrogates the other at regular, frequent intervals to ensure the other controller is operating correctly...

Each of the controllers 105 assign the unique identifier and the associated LUNs of the other controller, to its failover port 200a, 200b. This enables a surviving controller 105a, 105b to assume the identity of a failed controller 105b, 105a, and to accept and process I/O requests addressed to it by activating the normally inactive or failover port 200a, 200b.

Emphasis added.

The references cited by the Examiner concern the details of a failover mechanism not a bringback/failback mechanism as claimed. Although Deitz does discuss some steps of a failback mechanism, Dietz is silent concerning the particularly claimed method of a coordinated bringup. In particular, Applicant respectfully submits that Dietz does not teach or suggest asserting a first state in memory of a repaired appliance wherein **“the first state indicating that the repaired storage appliance awaits release of disk reservations of the disk subsystem by a surviving storage appliance”** and asserting a second state in memory of the repaired appliance wherein **“the second state indicating that the repaired storage appliance has initialized the disk subsystem”** as particularly claimed.

Applicant respectfully submits that Dietz teaches away from the present invention by disclosing an alternative method of a failback procedure including the steps of

detecting a replacement controller (or finding a surviving controller by the replacement controller);

performing failback procedure wherein replacement controller acquires ID and LUNs from failed controller;

surviving controller suspends operation of failover port.

Even when the fallback method of Dietz is combined with Chen, so that the above detecting step can be performed by setting a flag in a commonly accessible memory location, Applicant submits that the combination teaches away from the present invention by providing an alternative method which does not use the first and second states as particularly claimed.

Applicant respectfully submits that nothing in Sugahara cures the deficiencies cite above with respect to Dietz and Chen.

Since no combination of Dietz, Chen and/or Sugahara teaches or suggests each element of the rejected claims, Applicant respectfully submits that the rejections under 35 U.S.C. §103 have been overcome and should be withdrawn.

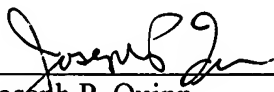
All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and accordingly in condition for allowance.

Reconsideration is respectfully requested.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



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